

6 to reflect the consumer completing a transaction with the  
7 provider chosen by the consumer.

1 77. (New) The apparatus of claim 75, wherein the list is  
2 automatically updated to reflect the consumer completing a  
3 transaction with the provider chosen by the consumer.

1 *E*  
2 78. (New) The method of claim 53, further comprising  
3 updating the database of personal information for subsequent  
4 selections of at least one providers, based upon the provider  
chosen by the consumer with which to communicate,

1 *CG*  
2 79. (New) The system of claim 61, wherein the information  
3 associated with the consumer is automatically updated for  
4 subsequent selections by the module, based upon the provider  
chosen by the consume with which to complete a transaction.

#### REMARKS

Upon entry of the present Amendment, the claims in the application are claims 1-79. Claims are new 73-79. Applicant respectfully submits that the subject matter of new claims 73-79 is fully supported in the specification as originally filed. No new matter has been introduced.

Claims 1, 3, 6-7, 9-11, 21, 24-25, 32-33, 27, 42-45, 50-52 and 69-72 stand rejected under 35 U.S.C. 103(a) as being anticipated by Dean et al. (U.S. Patent 6,055,512, hereinafter "Dean"). In response to the rejection, Applicant submits the following.

Claim 1 recites maintaining a database having preferred providers identified by the consumer or by prior purchases thereby; selecting, responsive to a consumer-initiated request and based upon the preferred providers in the database, at least one name of at least one provider; and forwarding the selected at least one name of the at least one provider to the consumer. The invention of claim 1 advantageously allows for the selection of a provider based upon those providers the consumer personally prefers.

In contrast, the invention of Dean, in which a service terminal apparently provides for providing customized hotel-related information/services, does not disclose selecting a provider based upon the consumer's preferred providers. In Dean, a smart card, on which is stored personal information relating to the hotel patron carrying the card, is employed to identify a service provider to present to the hotel patron. The personal information stored on the smart card is listed in col. 5, lines 55-67 of the Dean reference. In the Dean system, however, the smart card and/or system does not maintain preferred providers with which to transact business, much less identify providers based upon the hotel patron's preferred providers. Nowhere in Dean is there mention of the hotel patron providing a list of preferred providers that is used in identifying a provider. Further, no other reference relied upon in rejecting the claims, including Daly,

Bi, the Traderonline reference, and the Turner reference, shows or suggests a selection being based upon providers preferred by the consumer. In the absence of any prior teaching or suggestion in Dean or elsewhere of the invention of claim 1 as amended, claim 1 is believed to be allowable.

Similarly, claim 18 has been amended to recite a system including a database having preferred providers identified by the consumer or by prior purchases made by the consumer; and a server for selecting, responsive to the received request and based upon the preferred providers in the database, at least one name of at least one provider, and for forwarding the selected at least one name to the consumer. Again, Dean shows a smart card having personal information or preferences, but there is no mention or suggestion in Dean or elsewhere in the references of record of selecting a provider based upon the consumer's preferred providers. Consequently, claim 18 as amended is believed to be allowable.

Claim 25 has been amended to recite updating the information associated with the consumer based upon a provider chosen thereby with which to transact business. Applicant respectfully submits that Dean does not show or suggest updating as claimed. Claim 25 as amended is therefore believed to be unanticipated by Dean.

Claim 37 recites a method including maintaining a database of personal consumer information, including a list of at least one preferred provider of goods or services; receiving a search request initiated by the consumer identifying a type of goods or services; identifying one or more providers based upon the list of at least one

preferred providers; enabling the consumer to complete a transaction with a provider from the one or more providers chosen by the consumer; and updating the list of at least one preferred providers based upon the one or more providers chosen by the consumer. The invention of claim 37 advantageously allows a consumer to have identifications of providers made that reflect recent providers chosen by the consumer to complete transactions therewith. As mentioned above with respect to the rejection of claim 1, Dean does not show or suggest maintaining a list of a consumer's preferred providers of goods or services, much less identifying a provider based upon the list. Even further, Dean fails to show or suggest updating the list based upon the one or more providers chosen by the consumer to complete the transaction. In a complete absence of any prior showing or suggestion of the invention of claim 37 as amended, Applicant respectfully submits that amended claim 37 is allowable.

Claim 45 recites an apparatus adapted to receive a search request initiated by the consumer over a global communications network, the request identifying a type of goods or services, the search request having a single set of characters forming a plurality of fields, a first field having a common name as between different search requests and a second field identifying the type of goods or services to be searched without specifying a specific provider of goods or services; identify, responsive only to the search request without additional search information being directly provided by the consumer, one or more providers of the type of goods or services requested, the one or more providers being identified based upon the personal information relating

to the consumer in the database; present the one or more providers to the consumer; and enable the consumer to complete a transaction with a provider from the one or more providers chosen by the consumer.

First, Dean does not seem to show that the consumer submits a search request, much less a search request having a single set of characters forming a plurality of fields, a first of which has a common name as between different search requests and a second field identifying the type of goods or services to be searched. The Dean system does not seem to identify for searching a particular type of provider. Consequently, the invention of claim 45 is not anticipated by Dean.

Second, the Traderonline reference does not appear to compensate for the teachings absent in Dean. For example, Traderonline appears to show various hyperlinks available at the traderonline.com web site. However, the hyperlinks seem to merely link the consumer to different web sites. It appears that only after the consumer is at the chosen web site, and therefore only after the consumer initiates a single search request having a first common name field and a second field (e.g., selecting "autotraderonline.com") can the consumer enter further search parameters for executing a search. Because claim 45 as amended requires the identifying of one or more providers to be only responsive to the search request without additional search information being directly provided by the consumer, any combination of teachings by Dean and Traderonline does not suggest the invention of amended claim 45.

Amended claim 45 is believed to be unanticipated and allowable as a result.

Claim 53 recites a method including receiving a request initiated by the consumer and transmitted over a global communication network to a system, the request having a single set of characters forming a plurality of fields, a first field having a common name as between different requests and a second field identifying a type of goods or services without identifying a specific provider thereof; and selecting, responsive only to the received request initiated by the consumer without additional search information being directly provided by the consumer and based upon the personal information relating thereto in the database, at least one name of at least one provider. As stated above with respect to claim 45, Dean and Traderonline do not show or suggest receiving a request having a single set of characters forming a plurality of fields, a first field having a common name as between different requests and a second field identifying a type of goods or services without identifying a specific provider thereof, and selecting responsive only to the received request without additional search information provided by the consumer. Claim 53 as amended and its dependent claims are believed to be allowable as a result.

Claim 61 recites a server for receiving a request initiated by said consumer and transmitted over a global communication network, the request being a single set of characters representative of typed text, the typed text including a first field having a common name as between

different requests and a second field for identifying at least one type of goods or services without identifying a specific provider thereof, the server further including: a module for selecting, responsive to the received request without additional information directly provided by the consumer and based upon personal information relating to the consumer in the database, at least one name of at least one provider. First, neither Dean nor Traderonline show selecting at least one provider responsive only to the claimed request (a single set of characters representative of typed text, the typed text including a first field having a common name as between different requests and a second field for identifying at least one type of goods or services) without additional information directly provided by the consumer. As stated above, Traderonline requires the consumer to provide additional search parameters in order to initiate the selection as claimed. Claim 61 and the claims that depend therefrom are believed to be allowable as a result.

Claims 13 and 29 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Dean/Daly and further in view of Matsuoka U.S. Patent 6,038,537 (hereinafter "Matsuoka"). Applicant respectfully traverses the rejection based in part upon the following.

Claims 13 and 29 recite payment instructions to complete transactions for the consumer in an anonymous manner. However, Matsuoka shows a displaying unit 24 that displays a list of commodities to be provided while making the name of the commodity **provider**

anonymous. Applicant respectfully submits that Matsuoka does not show or suggest making the consumer (commodity purchaser) anonymous, only the provider. Because claims 13 and 29 require the consumer to be anonymous, claims 13 and 29 are believed to be allowable as a result.

Marked up versions of the amended claims showing all the changes relative to the previous version of such claims appear above. Attached to the present Amendment as an appendix is a clean copy of the claims as amended.

In view of the above, it is believed that this application is in a condition for allowance, and such a Notice is respectfully requested.

Favorable consideration is respectfully requested.

Respectfully submitted,

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